

Dkt. No.: OP-093000099

REMARKS

The Examiner has rejected claims 1-2, 5-7, 12 and 13 under 35 U.S.C. §102(b) as being anticipated by Ernst et al. (US 4,565,243) and rejected claims 3-4 and claims 8-11 under §103(a) as being unpatentable over Ernst in view of Connors et al. (US 6,907,918) and Low et al. (US 3,789,920), respectively.

With respect to Examiner's objections of drawings and specification and 35 U.S.C 112 rejection of claim, since claims 9 and 10 are cancelled, they are rendered moot.

In amended claim 1, as shown in Applicant's Figures 3-7, the sintering powder 131 of a wick structure 13 is a layer to be attached on an internal surface 120 of a bottom lid 12 of a heat pipe 1. However, Ernst's sintered powder wick 14, as shown in Figure 1, is a layer attached to an inner surface of a casing 12 and has merely edges contacted to a lid 18.

In amended claim 6, referring to Applicant's specification page 4, lines 7-9, a planar external surface 121 of the bottom lid 12 is used to contact with a heat source such that the heat pipe is used as an end surface absorbing heat pipe. However, as referring to Ernst's specification column 2, lines 41-45, the sintered powder wick 14 is located in the active evaporated region of heat pipe 10. According to the above-mentioned location of the sintered powder wick 14, the heat pipe 10 disclosed in Ernst does not use the lid 18 to contact with a heat source. Instead, the heat pipe 10 of Ernst should be regarded as a tubular surface

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absorbing heat pipe to use the casing to contact with the heat source.

In amended claim 12, as particularly shown in Applicant's Figure 5 and described in Applicant's specification page 4, lines 13-22, the sintering powder layer 131 is integrated with the mesh 130 to have the wick structure 13 attached and adhered to bottom corners of the heat pipe 1. However, Ernst's sintered powder wick 13 and the screen wick 16 are contacted at body portion of the casing 12.

Therefore, Applicant respectfully traverses the Examiner's 35 U.S.C 102 rejection. As stated in MPEP §2131:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the...claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).
(Emphases added).

Furthermore, Applicant respectfully traverses the Examiner's 35 U.S.C 103 rejection because there is no teaching, suggestion or motivation to combine Ernst with Connors or Low as the features of Applicant's claims 3-4, 8 and 11.

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Accordingly, the application is deemed to be in condition for allowance and such a Notice is earnestly solicited.

Respectfully submitted,

October 24, 2005
Date

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